

Message Text

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11
ACTION ORM-02

INFO OCT-01 EA-07 IO-13 ISO-00 DHA-02 L-03 SCA-01 CIAE-00

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P R 130921Z AUG 76
FM AMEMBASSY KUALA LUMPUR
TO SECSTATE WASHDC PRIORITY 4276
USMISSION GENEVA PRIORITY
INFO AMEMBASSY BANGKOK
AMEMBASSY BONN
AMEMBASSY CANBERRA
AMCONSUL HONG KONG
AMEMBASSY JAKARTA
AMEMBASSY MANILA
AMEMBASSY TOKYO
AMEMBASSY WELLINGTON

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E.O. 11652: N/A
TAGS: SREF, PFOR, PINS, MY
SUBJECT: VIETNAMESE REFUGEE BOAT CASES IN MALAYSIA: MEETING
WITH UNHCR REGIONALREPRESENTATIVE SAMPATKUMAR

REF: (A) KUALA LUMPUR 4535, (B) KUALA LUMPUR 4521, (C) GENEVA 6509

1. SUMMARY. UNHCR REGIONAL REP SAMPATKUMAR VISITED EMBASSY
AUG 12 TO EXCHANGE VIEWS ON VIETNAMESE REFUGEE BOAT CASES.
ACCORDING TO SAMPATKUMAR, BILLS MFA CLAIMED WERE UNPAID BY UNHCR
IN REALITY WERE COSTS MALAYSIANS INCURRED IN GUARDING AND
REPAIRING REFUGEE BOATS THAT WERE "SHOVED OFF" AND WHICH
UNHCR REFUSED TO PAY (AS PER PARA 2 REF C). DCM REITERATED
U.S. POLICY, NOTED OUR CONCERN OVER LACK OF UP-TO-DATE INFO
ON NEWLY ARRIVED REFUGEES AND EXPRESSED HOPE UNHCR COULD PLAY
LEADING ROLE IN EFFORT GEAR UP REFUGEE ASYLUM/RESETTLEMENT
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PROGRAM. ARRANGEMENTS FOR MOVEMENT OF REFUGEES ALREADY

APPROVED UNDER EPP ALSO DISCUSSED. END SUMMARY.

2. UNHCR REGIONAL REPRESENTATIVE SAMPATKUMAR CALLED ON DCM AFTERNOON AUG 12 FOLLOWING RETURN FROM HONG KONG AUG 11. CONSOFF AND POLOFF ALSO SAT IN ON CONVERSATION. DCM BRIEFED SAMPATKUMAR ON REFUGEE DEVELOPMENTS THAT HAD OCCURRED IN HIS BASENCE, PARTICULARLY ARRIVAL OF ADDITIONAL BOATLOADS OF VIETNAMESE REFUGEES, APPARENT HARDENING OF GOM ATTITUDE AGAINST OFFERING TEMPORARY HAVEN, AND OUR READINESS TO COMMENCE FINAL PRE-DEPARTURE PROCESSING OF CURRENT TOTAL OF 79 WHOSE TRAVEL HAS BEEN AUTHORIZED BY WASHINGTON UNDER THE EPP. DCM REITERATED CURRENT USG POLICY RE INDOCHINESE REFUGEE BOAT CASES, EMPHASIZED OUR FULL SUPPORT FOR THE UNHCR'S APPEALS RE FIRST ASYLUM AND RESETTLEMENT, BUT STRESSED OUR STRONG DESIRE FOR THE UNHCR TO TAKE THE LEAD AS THE FOCAL POINT FOR A TRULY INTERNATIONAL REFUGEE PROGRAM.

3. A PARTICULAR PROBLEM, DCM NOTED, WAS LACK OF INFORMATION REGARDING NEWLY ARRIVED REFUGEES; CITING SEVERAL INSTANCES IN WHICH NEW ARRIVALS HAD WRITTEN TO CONTACTS IN THE U.S. WHO IN TURN WROTE THE EMBASSY BEFORE WE HAD RECEIVED ANY INFORMATION VIA THE GOM OR UNHCR. ALTHOUGH WE HAD STANDING INSTRUCTIONS TO INTERVIEW REFUGEES ARRIVING BY BOAT TO DETERMINE WHETHER ANY OF THEM MEET OUR PAROLE CRITERIA, IN PRACTICE, DUE TO OUR OWN STAFF LIMITATIONS, WE COULD JUSTIFY SENDING ONE OF OUR OFFICERS OFF TO THE EAST COAST ONLY WHEN WE HAD CLEAR INDICATION THAT SOME AMONG A PARTICULAR GROUP MIGHT SO QUALIFY. OTHER INTERESTED MISSIONS ALSO NEED MORE INFORMATION ON WHICH TO BASE DECISION, WE UNDERSTAND. FINALLY, DCM ADDED, OUR PRINCIPAL MFA CONTACT HAD TOLD US REPEATEDLY THAT THE NATIONAL SECURITY COUNCIL (NSC) WOULD BE MORE RESPONSIVE TO APPEALS FOR TEMPORARY SAFEHAVEN FOR INDOCHINESE REFUGEES IF BILLS FOR CARE AND MAINTENANCE OF REFUGEES INCURRED BY STATE AUTHORITIES WOULD BE PAID MORE PROMPTLY BY UNHCR.

4. SAMPATKUMAR REPLIED THAT THE HITCH CLEARLY WAS NOT WITH THE MFA OR EVEN THE STATE SECURITY COMMITTEE AUTHORITIES ON THE GROUND; RATHER THE PROBLEM WAS WITH THE NSC, AND ONE HARDLINE INDIVIDUAL IN PARTICULAR (OSMAN BIN ABDULLAH, LIMITED OFFICIAL USE

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AND NSC DIRECTOR). SAMPATKUMAR STATED THAT LAST FEBRUARY HE MET WITH THE PRINCIPAL WORKING LEVEL MFA OFFICIAL ON REFUGEES AND DATIN RUBY LEE, CHAIRMAN OF THE MALAYSIAN RED CRESCENT SOCIETY. THEY HAD AGREED ON A FINANCING FORMULA WHEREBY THE UNHCR WOULD PAY COSTS FOR REFUGEE CARE AND MAINTENANCE TO BEGIN THE MOMENT A BOATLOAD IS PERMITTED TO LAND AND REMAIN IN MALAYSIA PENDING PERMANENT RESETTLEMENT. WHEN BILLS ARE SUBMITTED TO THE UNHCR, THEY

ARE REVIEWED AND, IF THEY APPEAR LEGITIMATE, PAYMENT IS MADE PROMPTLY THROUGH THE MALAYSIAN RED CRESCENT SOCIETY. UNTIL HE RECEIVED A TELEPHONE CALL IN HONG KONG FROM DEPUTY UNHCR MACE A FEW DAYS AGO HE HAD BELIEVED THIS SYSTEM WAS WORKING WELL. MACE HAD INFORMED HIM HOWEVER THAT THE U.S. MISSION GENEVA HAD RECEIVED INFORMATION THAT THE GOM WAS CONCERNED ABOUT UNHCR'S ARREARS. SAMPATKUMAR SAID THAT THE ONLY MAJOR OUTSTANDING BILL IS A DISPUTED CLAIM FOR ABOUT MALAY 40 THOUSAND DOLLARS (NOT MALAY 70 THOUSAND DOLLARS AS MFA OFFICIAL TOLD US). GOM WAS SEEKING REIMBURSEMENT FOR CHARGES FOR REPAIR OF BOATS AND OVERTIME PAY FOR POLICE GUARDING REFUGEE VESSELS THAT SUBSEQUENTLY DEPARTED MALAYSIAN WATERS. SAMPATKUMAR SAID HE WAS NOT INCLINED TO REIMBURSE THE GOM FOR SUCH CLAIMS, BECAUSE IT CONTRAVENED POLICY OF DISCOURAGING GOVTS FROM SHOVING REFUGEES OUT TO SEA. WE AGREED COMPLETELY WITH THIS APPROACH. SAMPATKUMAR ASKED THAT WE CONVEY HIS EXPLANATION TO U.S. MISSION GENEVA IN ORDER TO SET THE RECORD STRAIGHT. WE SAID THAT OF COURSE WE WOULD DO SO.

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SCA-01 CIAE-00 INR-07 NSAE-00 DOTE-00 ABF-01 TRSE-00

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P R 130921Z AUG 76

FM AMEMBASSY KUALA LUMPUR

TO SECSTATE WASHDC PRIORITY 0000

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5. SAMPATKUMAR SAID THAT HE HAD BEEN IN TOUCH THAT MORNING WITH MFA WORKING LEVEL CONTACT ABDUL JALIL BIN HARON AS WELL AS DATIN RUBY LEE OF MALAYSIAN RED CRESCENT SOCIETY REGARDING ARRANGEMENTS TO ASSEMBLY REFUGEES APPROVED UNDER EPP. RED CRESCENT CURRENTLY IS SEARCHING FOR SUITABLE ACCOMMODATIONS FOR THEM IN OR NEAR KUALA LUMPUR AND HE UNDERSTOOD ICEM WOULD UNDERTAKE COSTS FOR TRANSPORTING REFUGEES TO KUALA LUMPUR. HE SAID THAT HE WAS TRYING TO PERSUADE THE MALAYSIAN AUTHORITIES TO MOVE ALL REFUGEES WHO HAD RECEIVED "A" NUMBERS, FROM US, INCLUDING THOSE FOR WHOM FINAL APPROVAL NOT RECEIVED FROM WASHINGTON, SINCE EVEN IF A HANDFUL DID NOT RECEIVE FINAL APPROVAL THEY WOULD BE MORE ACCESSIBLE TO OTHER COUNTRIES WHO MIGHT BE INTERESTED IN ACCEPTING THEM. WE SAID WE HOPED ARRANGEMENTS COULD BE CONFIRMED QUICKLY SO THAT WE CAN INFORM ICEM TEAM FROM BANGKOK THAT TENTATIVELY IS SCHEDULED COME TO K.L. NEXT LIMITED OFFICIAL USE

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WEDNESDAY, AUG 18.

6. RETURNING TO THE SUBJECT OF THE CONTINUING REFUGEE INFLUX INTO MALAYSIAN WATERS IN THE CONTEXT OF THE UNHCR'S APPEALS, SAMPATKUMAR SAID THAT HE HAD AN APPOINTMENT TO CALL ON MFA DEPUTY SECRETARY GENERAL ZAINAL ABIDIN BIN MOHD. YUSOF TO DELIVER THE UNHCR'S APPEAL RE "FIRST ASYLUM." HE ALSO HOPED TO SEE THE PRIME MINISTER AT AN EARLY DATE TO DISCUSS REFUGEE PROBLEM, AND ALSO TO INITIATE A DIRECT CONTACT WITH THE NATIONAL SECURITY COUNCIL. SAMPATKUMAR INDICATED THAT HE WAS VERY MUCH AWARE OF MALAYSIAN SENSITIVITIES AND FELT IT ADVISABLE TO PURSUE THESE MATTERS "DIPLOMATICALLY" RATHER THAN SEEK SHORT TERM VICTORIES THAT WOULD BE COUNTER-PRODUCTIVE IN THE LONG RUN. THE FACT THAT THE U.S. NOW WAS WILLING TO ACCEPT ALL 22 OF THE REFUGEES FROM THE "GREEN BAY" AND ARRANGE THEIR EARLY MOVEMENT WOULD STRENGTHEN HIS HAND IN DEALINGS WITH THE GOM, HE CONTENTED. HE ADDED THAT HE HOPED THAT THE U.S. WOULD "TAKE AN INTEREST" IN THE NEW ARRIVALS.

7. WE STRESSED THAT LACK OF UP-TO-DATE BIO INFORMATION WAS A SERIOUS OBSTACLE CITED TO US BY OTHER COUNTRIES (E.G., GERMANS, CANADIANS) WHO HAVE SOME INTEREST IN ACCEPTING REFUGEES. THUS DISSEMINATION OF BIO DATA AND CONTROL OF MASTER LISTS OF REFUGEES ON A CURRENT BASIS WAS CRITICALLY IMPORTANT TO AN INTERNATIONAL EFFORT TO RESETTLE THESE REFUGEES. SAMPATKUMAR REPLIED THAT HE WOULD TRY TO BE HELPFUL ALONG THESE LINES, BUT OFTEN FACED THE PROBLEM THAT INFORMATION PROVIDED VIA RED CRESCENT CHANNELS OFTEN

WAS INFORMATION PROVIDED VIA RED CRESCENT CHANNELS OFTEN WAS "ONLY 60 PERCENT COMPLETE." WE EMPHASIZED IMPORTANCE OF MISS FRASER OR SOMEONE ELSE IN UNHCR REP'S OFFICE CONTINUING THE CLEARING HOUSE FUNCTION IN DISSEMINATING REFUGEE INFORMATION AND KEEPING IN CONTACT WITH GOM AND RELEVANT FOREIGN MISSIONS.

8. SAMPATKUMAR ADDED THAT HE UNDERSTOOD THAT THE GOM HAD AGREED TO ACCEPT AN ADDITIONAL 1,000 CAMBODIAN MUSLIM REFUGEES CURRENTLY IN THAILAND, IN ADDITION TO THE OVER 1,000 ALREADY RESETTLED HERE, BUT THAT SO FAR ONLY 300 OR SO HAD EXPRESSED INTEREST IN COMING HERE.
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9. DCM ALSO BRIEFED SAMPATKUMAR THAT ON HIS RECENT VISIT TO BRUNEI WHERE HE HAD SPOKEN TO BRUNEI OFFICIALS REGARDING 11 VIETNAMESE REFUGEES CURRENTLY THERE AND URGED BRUNEI OFFICIALS TO COMMUNICATE WITH THE UNHCR REGARDING REFUGEE PROBLEM, SINCE ONLY ONE OF ELEVEN APPEARS TO QUALIFY UNDER EPP. IT SEEMED CLEAR THAT SENIOR BRUNEI OFFICIAL CHARGED WITH RESPONSIBILITY FOR REFUGEES WOULD LIKE TO COOPERATE WITH UN, BUT WAS INHIBITED BY HOSTILE ATTITUDE OF SULTAN AND HIS FATHER TOWARD UN GENERALLY. BUT BRITISH HIGH COMMISSIONER, WHO ACTS AS FOREIGN POLICY ADVISOR TO THE SULTAN, HAD UNDERTAKEN TO SEEK OPPORTUNITY TO URGE SULTAN TO INVITE UNHCR REP TO COME TO BRUNEI.
UNDERHILL

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